

REMARKS

The Examiner is thanked for the careful examination of the application. The Examiner has withdrawn the previous rejections and has issued a new ground of rejection based on U.S. Patent No. 4,675,012, hereinafter Rooyakkers. New claims 34 - 35 have been added. In view of the remarks that follow, the Examiner is respectfully urged to reconsider and withdraw the outstanding rejections.

Art Rejections:

Claims 1, 2, 6-14, 16-20 and 23-28 have been rejected under 35 U.S.C. §103(a) as being obvious in view of Rooyakkers.

Rooyakkers discloses a pouch 40 that is held in place by a typical male brief or undergarment 44 for incontinence protection. The pouch 40 is formed by enclosing a coform absorbent material between a backing sheet and a permeable body side sheet. See column 3, lines 39-42. Among other things, the Examiner alleges that Rooyakers teaches that the "pad material 190 liquid-impermeable and liquid-permeable layers of sheet 190 are sealed together **beyond the edge of the absorbent layer.** (Page 3, Official Action dated July 13, 2006, emphasis added)

However, it is not clear where Rooyakers teaches that the liquid-impermeable and liquid-permeable layers of sheet 190 are sealed together beyond the edge of the absorbent layer. In the event that the Examiner maintains the rejection, the Examiner is respectfully requested to explain where such a teaching may be found in Rooyakers.

The Examiner acknowledges that Rooyakers does not teach or even suggest the claimed liquid barrier. To overcome that deficiency, the Examiner alleges that it

is known *in the art of male external catheters* to allegedly provide a seal in contact with a user's penis to prevent backflow of leakage. Applicants submit that the art of male external catheters is not analogous to the present invention, which relates to absorbent products. One seeking to improve an absorbent product would clearly not look to the male catheter art. The Examiner has merely used the claims as a shopping list to find all of the claim features in various references without concern for finding the requisite motivation.

In addition, the claimed invention recites that the liquid barrier is on the liquid-permeable layer, at the narrower end section of the absorption body, so as to prevent urine emitted by the user from leaking from the surface of the absorption body towards the crotch region of the user (claim 1). Claim 26 recites that the liquid barrier is arranged at the narrow end section of the absorption body so as to prevent urine emitted by the user from moving beyond the absorption body towards the crotch region of the user. New claim 34 recites that the liquid barrier is at the narrow end section of the absorption body or between the narrow end and the wide end of the absorption body, and is arranged either between the liquid-tight layer and the liquid-permeable layer or on the liquid-permeable layer. Applicants submit, that, even if the art of male external catheters is analagous to the present invention (which it is not), the "seal" contemplated by the Examiner appears to be arranged on the user's penis, not on the liquid-permeable layer, at the narrower end section of the absorption body, so as to prevent urine emitted by the user from leaking from the surface of the absorption body towards the crotch region of the user (claim 1); not at the narrow end section of the absorption body so as to prevent urine emitted by the user from moving beyond the absorption body towards the crotch region of the user

(claim 26); and not at the narrow end section of the absorption body or between the narrow end and the wide end of the absorption body, and not arranged either between the liquid-tight layer and the liquid-permeable layer or on the liquid-permeable layer (claim 34).

Accordingly, Applicants submit that the “seal” identified by the Examiner does not overcome the deficiency of the Rooyakers reference. Furthermore, in the event that the Examiner persists with the rejection, the Applicants request that the Examiner support the alleged teaching of a seal by citing a prior art reference or submitting a reference, as required by MPEP § 2144.03.

The remaining claims have also been rejected under 35 U.S.C .§103(a) as being unpatentable over Rooyakkers, either in view of U.S. Patent No. 6,023,789, hereinafter Wilson, or in view of U.S. Patent No. 5,486,168, hereinafter Runeman. However, neither Wilson nor Runeman overcomes the deficiency of the rejection of claims 1 and 26 based on Rooyakkers.

Accordingly, in view of the foregoing remarks, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections.

To further define the protection to which applicants are entitled, new claims 34 – 35 have been added. Claim 34 is allowable for the reasons set forth above, and new claim 35 depends from claim 34. Accordingly, the new claims are also patentable over the applied art.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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